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SENATE BILL 3072 By
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HOUSE BILL 2782
By Chumney

AN ACT to establish advance notice procedures relative to the
adoption contact veto registry and to amend Tennessee
Code Annotated, Title 36, Chapter 1.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 1, is amended by adding
the following as a new part to be appropriately designated:

Section 1. The object of this part is to establish an advance notice system to
enable the release of personal information under the act to be delayed for a fixed period
to give the person requesting the delay the opportunity to prepare for the release and
any impact this might have on the person or the person's family or associates.

Section 2. In this part,

(1) "Advance notice period" means:

(A) the period after an application for personal information relating
to a person is made (not being greater than three (3) months) prescribed
by the regulations for the purposes of this paragraph, or

(B) if the department of children's services so directs in relation to
a particular advance notice request, such longer period (not being greater
than the period, if any, prescribed by the regulations) after an application
for personal information relating to a person is made as is specified by the
department.

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(2) "Department" means the department of children's services.

(3) "Designated contact address" means the address entered on the Advance Notice Register under Section 5(b)(2) of this act.

(4) "Personal information relating to a person" means:

(A) the person's original birth certificate or amended birth certificate, or

(B) prescribed information relating to the person, or

(C) any information as may be required by regulation by the department.

Section 3.

The department may arrange for either or both of the parties concerned in a request under this section to be provided with counseling if the department believes such counseling is necessary to facilitate the provisions of this act. The department shall develop criteria to assess the respective parties' needs for counseling and whether information to be shared pursuant to the contact veto provisions presents risks of material or substantial injury to such parties.

Section 4.

(a) The department shall notify a person who has filed an advance notice request at the person's designated contact address of an application under the act for the supply of personal information affected by the registration, unless it is not reasonably practicable to notify the person.

(b) The department may rely on the address shown in the Advance Notice Register for this purpose and is not subject to any action, liability, claim or demand in respect of any notification given in good faith at that address.

SECTION 2. The department is authorized to promulgate necessary rules and regulations to facilitate the implementation of this act in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect on June 1, 1998, the public welfare requiring it.